

**WALDO COUNTY COMMISSIONERS COURT SESSION
NOVEMBER 9, 2010**

PRESENT: Commissioners Amy R. Fowler, Donald P. Berry and William D. Shorey, with County Clerk Barbara L. Arseneau to take the minutes.

Call to Order: Commissioner Berry called the meeting to order at 9:03 a.m.

D. Berry changed the agenda to allow Reverend Robert Carlson, who was present, to speak. R. Carlson said he was looking for endorsement to apply for a grant to build a Penobscot Community Health Care facility Belfast. He noted that Dr. Loxtercamp was in support of building this center. This facility would provide health care for people whether they could pay or not, and this was a very good opportunity to be funded by a federal grant. Health care would include dental care and some mental health care. R. Carlson explained that PCHC “treats the entire person.” He stated that this project has the support of Waldo County General Hospital and they have both signed a memorandum of agreement to support each other. He provided a draft endorsement letter as a template for the Commissioners to review. If the Commissioners were in support of this, the letter would need to be sent by the end of November, as the grant application absolute deadline is December 15th.

A. Fowler inquired about the fifteen clinical service sites and R. Carlson reviewed where these are located. R. Carlson informed the Commissioners that the Bangor Dental Center just received a large grant to add forty more operatories.

W. Shorey asked what would happen when the federal funds dry up. R. Carlson replied that this would not be a problem as they would be counting on Medicare and Medicaid payments.

D. Berry asked the Commissioners what they would like to do. A. Fowler said that it was good to hear that WCGH was in support of this. W. Shorey asked if the Commissioners could review this further and then make a decision prior to the end of the month. D. Berry and A. Fowler agreed.

R. Carlson commented that administrative rate had been 14.8% and climbing. His goal was for 10 cents or less in administration and when he presented this, it wasn’t supported. Since then, he has been able to get it down around 8%.

R. Carlson thanked the Commissioners for allowing him time on the agenda.

FINANCIAL REPORT:

Present with the Commissioners were Treasurer David A. Parkman and Deputy Treasurer Karen Trussell. D. Parkman reported the following regarding the County finances to the County Commissioners:

There is \$548,119.87 in the General Fund and \$257,710.28 in the Corrections account. All but \$800,000.00 of the T.A.N. (Tax Anticipation Note) has been paid back. The interest is \$16,000.00. K. Trussell reminded all that a portion is paid from the Jail.

PROPERTY TAX RECEIVED FROM MUNICIPALITIES TO DATE:

The Towns have delivered about half of the property tax assessment at this time in the amount of 47.1%. The cut-off date for towns to submit their property tax to the County is November 30th. The interest that would be charged after that date is 7% per day on the balance.

Towns that have not finished paying: Belfast has paid about half of its assessment. Other towns that have not paid include Belmont, Brooks, Frankfort, Islesboro, Lincolnville, Monroe, Northport and Stockton Springs.

W. Shorey asked what would happen if one municipality did not pay. After speaking with the Treasurer, they would come out 4 to 5% ahead. W. Shorey said that he would not be surprised at all if one or two of the towns missed the deadline this year. D. Parkman remarked that he has only charged interest one time, and that was two years in a row. It was a small town and they were having some money problems. One other town got it in the next day. With Thanksgiving falling where it does this year, the Towns have a few days after to get the taxes paid. Last year, Thanksgiving was quite late and then it rolled into the weekend and one Town was a little late for that reason. D. Parkman said he calls Karen once or twice a week to see how the Towns are doing in paying.

APPROPRIATIONS:

D. Parkman reviewed the expenditures to date. The total budget could be at about 83% expended, without the most recent payroll. The current Appropriations report is through the end of October. He noted that the Commissioners' budget is 85% expended. The Commissioners noted that Advertising is overdrawn and will continue to be. Professional Services may be overdrawn before the end of the year. D. Parkman said the only other one that was a little high was the Employee Benefits budget. He commented that expenditures were going to be tight this year. D. Parkman said it was some different than a few years back. W. Shorey commented, "Those days are gone."

K. Trussell looked back to see when some of the towns paid last year. She noted that some paid in November last year and expressed her belief that the County would receive those taxes within the next week or so.

W. Shorey felt that it was not unlikely that there may be a town here and there that could not pay. D. Berry agreed, noting that the list of citizens who had not paid their property taxes was increasing.

D. Parkman remarked that this was a "banner year" for a number of reasons. The County is giving back nearly \$300,000.00 this year, but he noted that next year it will be much tighter.

(Also present at the point was Sheriff Scott Story)

CORRECTIONS COST DISCUSSION:

D. Parkman submitted to the Commissioners a copy of an article from the November 4, 2010 Bangor Daily News, entitled "What our corrections system isn't telling us." D. Parkman informed the Commissioners that work has been done on legislation with the Maine County Commissioners Association. D. Parkman said he had done some calculations and stated that the Waldo County Reentry system is costing the taxpayers about \$187.00 per inmate. If there were thirty (30) inmates, he believed it costs about \$175.00 per inmate per night.

S. Story stated that this was not accurate. He explained that there were 50 inmates in other jails. The \$900,000.00 was for those inmates, too. D. Parkman stated that he had removed that \$900,000.00 from this calculation. S. Story said that a good portion of the cost was for the 72-hour-hold, as well. He did not believe that it was anywhere near the \$175.00 per night that D. Parkman believed it was. S. Story said that if there was an average daily amount of 50 inmates, both in the Reentry Center and those out in other jails, the average daily cost is about \$95.00.

It was generally agreed that regardless of how it was spent, the County was responsible for \$2,000,000.00 for Corrections annually. W. Shorey said that he was glad that a lot of that money was staying in Waldo County.

D. Parkman read expenditures from the Reserves, which are included in the warrant amounts below.

WARRANTS:

****D. Berry moved, W. Shorey seconded to authorize payment of the October 29, 2010 General Fund Accounts Payable warrant and the Payroll for October 14 and October 28, 2010 in the amount of \$883,044.14. Unanimous.**

****D. Berry moved, W. Shorey seconded to authorize payment of the October 29, 2010 Reentry Accounts Payable warrant and the Payroll for October 14 and 28, 2010 in the amount of \$227,406.98. Unanimous.**

****D. Berry moved, A. Fowler seconded to authorize payment of the October 29, 2010 Capital/Active/Restricted Reserve warrant in the amount of \$27,017.22. Unanimous.**

****D. Berry moved, W. Shorey seconded to authorize payment of the November 9, 2010 General Fund Accounts Payable warrant and November 10, 2010 Payroll in the amount of \$225,032.69. Unanimous.**

****D. Berry moved, A. Fowler seconded to authorize payment of the November 9, 2010 Reentry Accounts Payable Warrant and November 10, 2010 Payroll in the amount of \$37,105.11. Unanimous.**

****D. Berry moved, A. Fowler seconded to authorize payment of the November 9, 2010 Capital/Active/Restricted Reserve warrant in the amount of \$7,105.39. Unanimous.**

****A. Fowler moved, W. Shorey seconded to accept the Treasurer's Report. Unanimous.**

D. Parkman asked the Commissioners to accept the bid proposal for the Federal Audit in the amount of \$6,500.00 from McCarthy & Way in Belfast.

****W. Shorey moved, A. Fowler seconded to accept the bid proposal for the Federal Audit from McCarthy & Way in the amount of \$6,500.00. Unanimous.**

DISCUSSION OF JANITORIAL BIDS:

Present for this discussion were Doug Reed, Owner of Central Maine Cleaning and Mitch Littlefield, Account Manager. Also present was Facilities Manager Keith Nealley.

D. Reed made introductions and opened by saying that Central Maine Cleaning often opens up bid requests. He noted that the company employs 125 people in Maine and that he purchased the nearly \$1,000,000.00 company six years ago. The number of employees has gone from 60 to 125 in that time period. He explained that he treats employees as the greatest asset of their company, while giving a fair price to the clients. He noted that 8 of these employees are in Waldo County.

He stated that he believed he had provided the County a fair price, were within reason – even with the low bidder at only 1% higher, had not missed any cleaning times, even with bad weather, etc., with “minimal or no complaints.”

He referred to the Commissioners Court Session minutes from September 14, 2010 in which it appeared that the County went with low bidder pending references being checked. He inquired what has happened since then.

K. Nealley reported that the County did not go with the low bidder because the references did not check out.

A. Fowler requested the minutes from September 21 and Sept 28, which had been formally accepted by the Commissioners yet, for the rest of the information.

There was a great deal of discussion between Commissioner Shorey and Mr. Reed regarding the bids received, the bid process, with Mr. Reed stating that he believed overall, he was coming in at \$600.00 lower for the two-year bid.

W. Shorey stated that D. Reed kept mentioning the total, and the Commissioners were not looking at the total but at each building. There was brief discussion in which the Commissioners stated that they requested bids for all three buildings, and D. Reed stated that he thought that it was being bid in its entirety, not as separate buildings. It was generally agreed that there might have been some confusion on this point.

There was brief discussion about whether the Commissioners were negotiating bids. D. Reed continued to state that he wasn't understanding the process of how the Commissioners came to their decision. W. Shorey stated that it certainly had appeared that Mr. Reed had indicated that he wanted all or nothing.

When asked where things stood at this point, Keith Nealley responded that the Commissioners already voted and unanimously accepted the bid from Maureen Hall to do all of the buildings.

The Commissioners again stated that Mr. Reed's communication to them by letter had appeared to be that he was not interested in dividing the buildings up, so they voted to approve the bids from Maureen Hall not for two years, but for one with the option to renew for one more year, if they chose to later.

K. Nealley read a series of Email correspondence between Mr. Reed and himself about the bidding process during September and October, with D. Reed stating that he would write a letter to the Commissioners and would copy it to K. Nealley later on.

The most recent correspondence had been from D. Reed to the Commissioners, dated October 14, 2010, in which he claimed that if he chose not to elect to clean the District Court and Communications Center it would cost an additional \$5,640.00 over two years if awarded to the lowest bidder and \$8,040.00 over two years if awarded to M. Hall.

Commissioner Shorey stated that he was not in agreement with those figures and that Mr. Reed had never accepted the Commissioners offer. After continued exchange between Mr. Reed and Commissioner Shorey, Commissioner Fowler asked if she could intercede in the conversation on behalf of the

Commissioners for a few minutes, which was agreed to by the B. Shorey. (Chairman Berry had to leave the room briefly to handle another matter and was not present at this point.)

A. Fowler asked Mr. Reed to make his point quickly. D. Reed made reference again to the Commissioners Court Session Minutes from September 14, 2010. K. Nealley stated that it appeared what followed was a communications breakdown between Mr. Reed and the Commissioners. A. Fowler confirmed with K. Nealley that notice of acceptance had already been sent to Maureen Hall. A. Fowler reiterated to D. Reed that he had not accepted the bid terms, so the Commissioners had moved forward and made a decision to award it to Maureen Hall.

D. Reed restated his view that this was costing the County more and W. Shorey restated that he disagreed.

Commissioner D. Berry returned to the room and brought a close to the discussion by stating that the Commissioners had made their decision to award the bid to Maureen Hall and this was final.

The Commissioners thanked D. Reed for meeting with them.

FACILITIES REPORT:

Present for this report was Facilities Manager Keith Nealley.

1. Painting upstairs in the District Courthouse: K. Nealley reminded the Commissioners that according to the lease agreement, the County must paint the area leased by the District Court every three years and it was time to re-do this. He reported that quotes were received to paint this area from Northeast Equipment in the amount of \$8,130.00 and from Paul Thibodeau of Different Strokes in the amount of \$8,237.00. He noted that District Court Clerk Terri Curtis expressed preference for Northeast Equipment and since their proposal was the lowest, he would recommend it be awarded to them.

****W. Shorey moved, A. Fowler seconded to accept the quote from Northeast Equipment in the amount of \$8,130.00. Unanimous.**

2. District Courthouse Roof: K. Nealley informed the Commissioners that he has been working with the City of Belfast to plan for re-shingling the roof at the District Courthouse, which is in a zone that requires mandatory review and input by the City of Belfast Design Review Committee. He is primarily concentrating on the Spring Street side of the building, including over the Judge's chambers. Hannel Brothers has estimated that it will cost about \$27,000.00 to do the entire front. K. Nealley asked for just the section that needs to be done. A proposal was provided for the entire area for fiberglass shingles that match the existing asphalt shingles. The price for this one section will arrive today. Northeast Equipment also came and would be willing to do fiberglass shingle for \$7,616.00.

D. Berry asked what the Design Review Committee had said. K. Nealley informed the Commissioners that as long as the copper flashing and copper ridge cap were left on, it would meet with the Board's approval. He physically went up on a ladder and put up a sample for the Board members to look at and they were amenable to the sample.

The Commissioners authorized K. Nealley to go ahead with the lowest bid and then submit the figures to the Chairman, who would authorize getting it done, and the Commissioners would officially vote to accept it later.

3. Reentry Projects:

K. Nealley plans to replace the large and small garage bay doors with insulated doors. Sheriff Story gave some latitude from where funds would come. A company by the name of Overhead Door submitted a bid for both doors in the amount of \$2,917.00. They will retain some of the hardware, but will install new tracks and rollers. A company by the name of P.D.Q. Door submitted a proposal of \$4,388.00.

****A. Fowler moved, W. Shorey seconded to award the bid to Overhead Door at \$2,917.00. Unanimous.**

4. Fire Drill: K. Nealley informed the Commissioners that a recent fire drill was performed at the Jail/Reentry Facility and EMA. The Jail/Reentry Facility has an alarm system. The closest strobe to EMA is located in the kitchen. EMA would have a problem hearing/seeing the alarm if they were out back, and there is neither a smoke nor heat detector in the boiler room. SimplexGrinnell out of Hermon quoted \$4,019.00 to add additional horn/strobes and pull station (putting one pull station in the boiler room, an audio/visual alarm in the hallway leading to the Radio Room). Out back in the storage room, where all computer servers are, there is no alerting system (there will be a smoke/heat detector installed in the storage room). In the Conference room, there would be a smoke sensor, etc. This could be funded via the Capital Improvement line.

****A. Fowler moved, W. Shorey seconded to accept the quote from SimplexGrinnell at \$4,019.00. Unanimous.**

W. Shorey wondered why there was no fire bell in the District Courthouse. K. Nealley said he would discuss that momentarily.

5. An emergency evacuation drill was performed recently for all offices in the District Courthouse. K. Nealley noted that there is no alarm at all in this building and he will be investigating possible solutions to this situation.

SHERIFF'S REPORT:

Present for this report were Sheriff Scott Story and Chief Deputy Robert Keating.

1. PROPOSED NEW EMA/SHERIFF'S BUILDING: S. Story, referencing the future plans for the Facilities Management Department to set up it's office in the current Sheriff's Office after the new building is constructed, requested that if the car port of the proposed building was not going to be built, he would like to keep the old garage ("old barn") for Sheriff's Office storage. Before constructions starts he wanted to bring this up, explaining that the 'gators are currently housed there as well as a motorcycle, tires, fluids, etc. He would be willing to discuss it more later. A. Fowler asked what K. Nealley would need that space for. K. Nealley responded that the basement of Superior Court is "full of junk" and there are other desks, chairs, etc. that could be stored elsewhere. K. Nealley said he knew S. Story would still need some storage and as long as both could use the building for storage, they could work it out together. R. Keating noted that Facilities Technician Gary Daigle and Facilities Manager Keith Nealley had built racks for the tires in the garage. He stated that as long as two cars could be parked in there, as well, this would be fine.

W. Shorey said that he would like to keep the office in the District Courthouse for K. Nealley in case the current Sheriff's building couldn't be heated well, or had other issues.

A. Fowler stated that Budget Committee Member Robert Plausse had said that he hadn't realized that the Facilities Budget would be taking care of that building for its office and felt that it was not completely necessary to do that.

2. S. Story asked for Executive Session for to discuss a confidential matter related to the Re-entry Center regarding information contained in records when access by the general public to those records is prohibited.

****W. Shorey moved, A. Fowler seconded to enter Executive Session at 10:35 a.m. according to M.R.S.A. Title 1 § 405 6 (F) related to the Re-entry Center. Unanimous.**

****A. Fowler moved, W. Shorey seconded to come out of Executive Session at 10:39 a.m. Unanimous.** No action was taken by the Commissioners.

3. **PART-TIME PATROL PAY SCALE:** S. Story noted that during the last couple of months, he had asked to change the part-time scale for Corrections. After looking back at the minutes, he realized he had not addressed the part-time pay scale for Patrol Officers. He asked that both part-time salaries for both Corrections Officers and Patrol Officers be established at the starting rate of a full-time Corrections Officer or Patrol Officer until the part-time Officer has achieved FTO or any certifications that the Sheriff deems necessary, in which case he/she would move to the starting scale for a full-time officer with those certifications.

****A. Fowler, W. Shorey moved to approve the part-time scales for Corrections and Patrol Officers as requested by the Sheriff. Unanimous.**

4. Regarding the current budget, S. Story informed the Commissioners that if he was going to "live within" the 2010 Patrol budget, he would not be able to keep providing the level of services he has been. Literally, because of the huge turnover of three full-time officers this year and the domino effect on training, equipment costs, outfitting the cruisers in the beginning of the year, the budget is running 3% over.

W. Shorey asked if there was any money available that could be used to fund this overdraft. S. Story said they are using Drug Asset Forfeitures for equipment as they can. "There isn't a huge reserve because the budget is run pretty tight," he explained. S. Story said he has curtailed all spending as much as possible. Anything that can be lived without, they are doing without. Department Meetings and training have been cancelled to keep expenditures low. S. Story said that this is how tight the budget is, now; there is no room to handle it. He commented that he has never been beyond 1% overdrawn on the Patrol Budget. He and the Chief Deputy went through everything a few months ago and tried to see what was happening. Now it costs so much to outfit a new person, between uniforms and boots, etc. He anticipates 3% in overdraft by the end of the year, which would be roughly \$36,000.00. Also, when one Deputy was hired by another town, the County was paid \$18,000.00 but that money went into the General Fund. When the Sheriff's Office hired a new person, they had to pay that other agency \$9,500.00 out of the Patrol Budget. R. Keating mentioned that about \$1,000.00 worth of deputies was sitting upstairs waiting for court as they spoke. "This turns into overtime and doesn't even include the fuel to drive here," he added. W. Shorey felt that a letter should be sent to the new governor, explaining this costly situation.

5. Mike Tausek of Volunteers of America went to training recently for Reentry work, since they have been this training is recommended. Currently Waldo County is setting the bar. Unfortunately, there is some training money needed to accomplish this. It would cost roughly \$15,000.00 to do this training. If it could be tapped from the Reserve rather than from the overtime or training, lines, this would be helpful.

****A. Fowler moved, D. Berry seconded to approve this spending on training.** Discussion: A. Fowler noted that the County of Waldo is “the pioneer in this state.” She reminded those present that she had said all along that she wanted to set it up and do it 100% exactly right because other people would be learning from them. **Unanimous.**

6. S. Story explained that when people from the public come into the Re-entry/72-hour hold to bail someone out, this space has to be shared with Reentry residents. It has been observed that some of the public are visibly uncomfortable with this arrangement. S. Story requested authorization to purchase a couch and some chairs for this purpose, but said he had not budgeted for this. A. Fowler believed there was money in the Office Supply line. S. Story explained that this is more of a capital expense, and he wasn’t comfortable doing this without consulting the Commissioners.

****A. Fowler moved, W. Shorey seconded funding this expenditure from the Jail Reserve.**
Unanimous.

STATEWIDE WEB PORTAL DISCUSSION:

1. Present with the Commissioners was Deloris Page. She wanted to discuss the vote at the MCCA Convention to allow the Registers to see if their individual vendors would be willing to come up and give the figures to write the code for a statewide web portal. A letter has been sent to ACS, (Waldo County’s vendor) and they have responded that they are in support of this effort. The County will upgrade to the new system after the court case is settled. It will all be under one portal. There is one IT person that is interested in performing this. It is believed that there is \$5,000.00 that will be capped for each registry. D. Page wondered if some of the unspent money in her budget for this year could be placed in a Reserve for this purpose. The Commissioners agreed that this should be done.

D. Page informed the Commissioners that she went to the closing remarks that MacImage made last week. She noted that John Simpson’s arguments were the same as they have been – they wanted the access for nearly nothing. MacImage also claimed that nobody responded to his letters when Waldo was definitely one that did. That being said, his lawyer commented that the letters all sounded similar. D. Page said it was very interesting and she was glad she went.

2. D. Page, referencing the turnover in her department and the need to hire a new Clerk, mentioned that it has been five years since she had hired someone. She inquired about the process and the Commissioners agreed to hold a special court session to approve her recommendation. The interview team will be the Register, the Deputy Register and the Human Resources/Payroll Director.

(BREAK)

HUMAN RESOURCES REPORT:

Present with the Commissioners was Human Resources/Payroll Director Michelle Wadsworth.

1. M. Wadsworth informed the Commissioners that there was a mix-up with an employee’s enrollment with MainePers. Deductions did not come out of paychecks, MainePers also realized they had not entered the person in their system, and the employee didn’t realize it wasn’t being deducted from the paycheck until just recently. When it came to her attention, M. Wadsworth called MainePERS to see what could be done. The employee’s portion must be paid immediately, but since this was not the fault of the employee, M. Wadsworth requested that the County pay the employee’s portion of \$1,114.00 in advance and allow the employee to pay the County back either in either six months or a year. The Commissioners

agreed to do this, with whichever option the employee was willing to go with – either six months or one year.

2. NEW POSITION AT DISTRICT ATTORNEY’S OFFICE: M. Wadsworth reported that the Deputy District Attorney has asked if the desk, computer and chair for the new position in the District Attorney’s Office could come from the Deeds Office that the employee is moving over from, since that position is not going to be filled. This will be looked into. (It was later learned that there already is a computer at the District Attorney’s Office and the desk would not fit in the space, so other properly sized furniture will be purchased from a fund to be designated by the County Commissioners.) M. Wadsworth will be working with the District Attorney’s Office to put together the job description for the new position.

The District Attorney has also requested that the employee transferring to the new position be allowed to come over for some training before the end of the year. The Commissioners discussed this briefly and agreed with this request, with the details to be worked out in advance. The funding will come from the Commissioner’s P/T line that currently sits unspent at \$6,000.00.

3. VACATION/SICK LEAVE ACCRUAL POLICY CHANGE: M. Wadsworth said she heard a little about the discussion and wondered if starting dates had been firmed up for this change to take effect. The Commissioners discussed it briefly. A. Fowler felt that for the sake of the books, it made sense to try and start everyone at the same time, so it was agreed that the March 31st deadline for carrying vacation would cease being in effect on January 1, 2011 for all non-union employees and frontloading vacation and sick leave would cease January 1, 2012. Employees can bank unused 2010 vacation leave. Employees will also be allowed to carry a maximum of two years vacation leave on the books at any time, according to their vacation accrual level. Any unused vacation leave beyond that amount will be forfeited by the employee. Vacation leave, starting in 2012, will be earned upon the completion of each month. Sick leave will be accrued at 8 hours upon completion of each month, with a total of 96 hours per year. The sick leave carry over policy will remain as it is.

4. HOLIDAY CARDS: After brief discussion and reviewing selections, the Commissioners selected a holiday card to send out this year.

5. INFORMATIONAL MEETINGS FOR EMPLOYEES: M. Wadsworth has scheduled and notified employees of the following meetings:

- Brett Hoskins from MainePers will be available to meet with employees on November 17, 2010.
- Brian Roberge with Colonial Life/Disability will be meeting with employees on December 1, 2010.
- Mark Gosselin of ICMA-RC will be meeting with employees on November 30, 2010.

MISCELLANEOUS COMMISSIONERS BUSINESS:

1. D. Berry received a call from Court Facilities Director Jeff Henthorne, with whom District Court Clerk Terri Curtis, Facilities Manager Keith Nealley and he met about a month ago. Mr. Henthorne went back to the Chief Justice with a proposal for joint study for District Courthouse/County office space. The Chief Justice has approved \$12,500.00 and D. Berry asked for the other Commissioners to approve the other \$12,500.00 from the Courthouse Reserve to get this study done.

****W. Shorey moved, A. Fowler seconded to authorize \$12,500.00 for the Courthouse/County study, to be funded from the Courthouse Reserve. Unanimous.**

D. Berry reminded all that the County of Waldo will be on the Legislative agenda in 2013 for court improvements.

2. 100 ACRES COUNTY PROPERTY: D. Berry suggested having the 100-acre County property assessed. W. Shorey thought it would be wise to take a group to the property to walk it. He wasn't sure, and wanted to be reasonable to all parties, so therefore suggested that the County consider keeping 10 acres of that property. He wasn't against selling it but wanted to be doing it wisely. D. Berry commented that if Waldo was a richer County, they could keep it for economical growth. W. Shorey added that it was his desire for the County Reserve Accounts to built-up with the funds, if the land was sold.

3. W. Shorey felt that the Commissioners should move un-appropriated funds to the Severance Reserve and also address other reserve accounts on November 23, 2010 at 9:00 a.m.

4. PENOBSCOT COMMUNITY HEALTH CARE: The Commissioners briefly discussed the request for endorsement from earlier in the Court Session and did not believe the Board of Commissioners had the authority to make this kind of endorsement. The Commissioners decided to take no action.

****W. Shorey moved, A. Fowler seconded to take no action on the request from Reverend Carlson of PCHC to endorse building a facility in Belfast. Unanimous.**

5. The Commissioners instructed B. Arseneau to contact Dan Bennett, Director of Operations at Waldo County General Hospital, to meet with them during their November 23, 2010 Court Session to discuss what programs the hospital has to offer.

6. BOARD OF CORRECTIONS UPDATE: A. Fowler informed the other Commissioners that she has put her version of the BOC Payment Schedule in each Commissioner's mailbox. She stated that the fund balances that are being shown by the BOC are not true, adding that the State is in "deep financial trouble and is looking to get out of whatever they can get away without paying." She explained that it is the second quarter of the State's fiscal year, and payments to the Jails have already stopped. She noted that she and D. Parkman have been drawing attention to this problem for a long time and were thought of as the "rebels and rabid dogs," but now this issue is becoming more transparent. Also, it turns out that Franklin County had a prisoner that was ill and went to Somerset County. Somerset had the bill and the State wasn't paying them. Franklin paid Somerset directly and then reduced that amount from what they sent the BOC. According to one of Franklin's Commissioners, "nothing happened to them" for doing that. A. Fowler said that she was "very, very, very nervous paying in anything to the State." W. Shorey said that he understood her concerns, but illustrated with what would happen if a Town decided it was "nervous" paying property taxes to the County because they don't know what the Commissioners do with it. A. Fowler agreed that "two wrongs don't make a right," however; she didn't understand how the State could get away without paying the jails that it is supposed to.

D. Parkman expressed his concern that he couldn't even find out where the money went. W. Shorey said he does not view the inmates that come from Waldo County as being Waldo's inmates anymore. A. Fowler and D. Parkman disagreed with that philosophy, stating that these inmates have to come back to Waldo County's court system, so they are still Waldo's inmates.

D. Berry "weighed in" with W. Shorey, stating that the County's responsibility is to pay the bill to the State, and that it is up to the State to take care of their responsibility. D. Parkman said that when the Jail is "broke" and they send the inmates back to Waldo County, then the County would have to deal with it. D. Berry and W. Shorey said, no, it was the State's problem at that point and the inmates could be unloaded at the State House.

D. Parkman read a proposal to the Commissioners in which he recommended that Waldo County pay whichever jail institution is holding Waldo County inmates directly, and then send the balance to the BOC.

W. Shorey said that he believed that it would be a problem if the County's start sending checks to someone other than where the law dictates. He thought D. Parkman made a good argument in not paying the State early, but on time. D. Parkman felt that the State was breaking the law in not paying the jails. W. Shorey said that he absolutely agreed with D. Parkman that the State was breaking the law. Nonetheless, he believed the County could not be sending the checks that should be going to the State to anyone else. That being said, he was not opposed to holding off paying the State until the deadline.

D. Parkman was adamant that all the Treasurer's Offices and Deputy Treasurer's were being tasked to provide all sorts of information to the BOC and it was finally realized that the BOC was not paying or in charge of the Deputy Treasurer's – the County is in charge of these employees. He noted that one County employee actually resigned due to the work load.

W. Shorey said all he wanted was for the County to comply with the law. If the Treasurer wanted to put the money in a short-term CD until just before the money had to be sent to the State, he was fine with that, although he acknowledged he was not speaking for any of the other Commissioners.

W. Shorey said he knew that both D. Parkman and A. Fowler were frustrated with the BOC and the State. D. Parkman responded that he wasn't frustrated. A. Fowler said she definitely is frustrated. She added that she was relieved that things had gone differently with the PSAPS because the Communications Directors and others were proactive and cohesive decisions had been made.

A. Fowler said she understood the other two Commissioners' viewpoints and when Two-Bridges has issues because they haven't been paid by the BOC, she would tell that Sheriff, "It's not Waldo's problem. Truck them to the State, since it is their problem." She added that she knew the other Commissioners were only hearing from them, but they are not alone. Others are also frustrated.

There was some animated discussion between A. Fowler and D. Parkman regarding the ongoing issues. A. Fowler said she did feel better that they had discussed this with the other two Commissioners and they hoped that things would somehow get better.

D. Parkman noted that this law passed by both parties because it was based on consolidation. A. Fowler said she believed that all the counties "bought" the concept of the caps and the caps never being increased, but she believed that the burden is just falling somewhere else. The goal is to make some changes now and she hoped that would be the case.

W. Shorey said he didn't know how things were going to work out, but in the year and 10 months he has been here, he has enjoyed working with this group and that it is one of the best groups he has ever worked with. All said they realized that if everyone agreed all the time, there would not be any good discussions. A. Fowler said she was glad for those discussions.

D. Berry said that it is so important to be able to disagree and still work together. The key is to disagree while still finding common ground. He noted that a big piece of this is getting accurate information.

CORRESPONDENCE:

Present to review correspondence was County Clerk Barbara Arseneau, with Deputy County Clerk Veronica Spear taking minutes for this portion of the court session.

1. A rebate has been from Caremark Rx has been received in the amount of \$2,256.72.
2. Communications Director Owen Smith sent an E-mail message to the Commissioners notifying them that the Counties made out very well in the report from the ESCB to Public Utilities regarding PSAP consolidation. The only county that will merge will be Androscoggin with Lewiston/Auburn. Aroostook County, as requested, will stay with Penobscot RCC. Penobscot RCC will also take all 9-1-1 calls for Aroostook County, DPS Houlton and DPS Orono. The City of Bangor is voluntarily going over. Public Safety Gray will remain as a PSAP due to sheer volume and the Interstate. All municipalities in Kennebec County will have to go back to DPS, CMRCC providing the rate structure can be reduced and the service problems solved. He stated that he believed that County government and the work that has been done with the Regional Centers had really paid off. He concluded that the sections of the report the Commissioners likely would be most interested in start on about page 14 and go through about page 20 in the report.
3. **PRESCRIPTION DRUG DISCOUNTY CARD PROGRAM DECISION:** B. Arseneau asked the Commissioners if they had come to a decision after reading materials she had forwarded them from both NACo and ProAct. The Commissioners decided to continue with the NACo Rx Prescription Drug Discount Program as they had concerns related to the accuracy of the figures provided by ProAct and also the language in ProAct's contract. The Commissioners asked that there be some additional information sent to the citizens reminding them to take advantage of this program.
4. EMA Director Dale Rowley submitted several grant applications for funds via the Fiscal Year 2010 State Homeland Security Grant Program for the following: a radio tower, base station radios and repeaters, disaster exercises, a generator for the proposed Sheriff's Office and a manual electrical transfer switch for the Waldo county Technical Center. Chairman Commissioner Berry signed these applications on behalf of the Board.
5. EMA Director Dale Rowley has now submitted the 2010 Emergency Operations Plan, dated November 9, 2010.
6. A notice was received from EMA Deputy Director Olga Rumney indicating that the Awards Banquet scheduled on November 23, 2010 has been moved to the Monroe church instead of the East Belfast School. Commissioner Fowler will attend.
7. EMA Deputy Director Olga Rumney has sent out a list of all Emergency Operating Staff Training that has not been completed at this point.
8. The Commissioners noted pay step increases for the following employees:
 - Corrections officer Matthew Hall will reach the eight-year step with an increase in pay from \$16.60 to \$17.14 per hour effective December 1, 2010.
 - Dispatcher Stephanie Gracie became EMD and CTO certified as of October 24, 2010 with an increase from part-time hourly pay to an hourly wage of \$14.95.

- Dispatcher Richard Crossman became EMD and CTO certified as of October 24, 2010 with an increase from part-time hourly pay to \$14.95 per hour.

9. B. Arseneau informed the Commissioners that the State performed and evacuation drill of all offices in the Maine District Courthouse in Belfast, including the Probate office and Commissioners/Treasurer's Offices. She had been asked to submit a report regarding that evacuation with observations and suggestions, which she had done by E-mail. She also submitted a copy to the Commissioners.

10. Becky Morgan of the MCCA sent notification that Cumberland County website designer Angela Berube-Grey is working with the MCCA to update the county website and will be adding a new feature called "County Initiatives" which will provide all counties the opportunity to promote themselves by creating a list of initiatives, a brief description of each as well as an E-mail contact for more information. The commissioners suggested sending information about the "Friendly Caller" program at the Waldo County Regional Communications Center, statistics and information about the Waldo County Garden Project, and information about the proposed new EOC/Sheriff's Building.

11. B. Arseneau informed the Commissioner that she and the Deputy Treasurer are continuing to "chase" the municipalities for their Average Real Personal Income Growth in order to calculate the new LD1 Assessment Limit for 2011 in preparation for the Public Hearing. As of today, only Belmont and Freedom have not submitted their figures.

12. Geoff Herman of MMA's Legislative Bulletin has sent an inquiry to determine how the County of Waldo wishes to receive the Legislative Bulletin. The Commissioners chose to receive it electronically to all the Commissioners and the Office.

13. Waldo County Soil and Water has invited the Commissioners to attend the 2010 Annual Banquet & Meeting on November 16, 2010 from 6:30 to 8:30 p.m. Commissioner Fowler has already RSVP'd that she will attend.

14. Health Insurance Plan Review Update: B. Arseneau and Human Resources/Payroll Director M. Wadsworth have been working with Attorney Steve Gerlach to determine what needs to be done to be in compliance with recent health reform law changes. One thing they have learned is that nondiscrimination testing must be performed and they can be taught to do this in-house. S. Gerlach will walk them through the process at a later date.

15. B. Arseneau gave a summary report highlighting a number of projects and work performed by the Commissioners' Staff in the past several weeks:

- Deputy County Clerk Veronica Spear has nearly completed transcription of all backlogged 2009 Budget Committee Meetings, has transcribed the September 21 and 28, 2010 Commissioners Court Session Minutes in the absence of the County Clerk, scheduled, helped set-up and attended 2011 Budget Committee meetings, put together all budget binders and materials for the 2011 Budget Committee, Commissioners, Treasurer and other staff, and continues to work on hanging the newly copied road maps in the map case.
- Human Resources/Payroll Director Michelle Wadsworth has put together binders and materials for the Deputies Association negotiations and the Support Staff negotiations, has assisted in drafting

proposals for both sets of negotiations, helped with set-up and clean-up of food for the Budget Committee Meeting held on Saturday October 23, 2010 as well as attending that all-day meeting, has worked several nights after-hours preparing for an unemployment hearing that she attended in Augusta, and has come in before-hours and stayed after-hours to deal with several on-going personnel issues. She has also scheduled employee meetings with MainePers, Colonial Disability, and ICMA-RC Deferred Compensation Plan. She is continuing to work on over-hauling the Personnel Policy with Commissioner Shorey, the Technology Policy with Commissioner Berry, and is working on the health insurance plan for health care reform changes and up-coming open enrollment. She has been working with the Register of Deeds in advertising and the interview process for the vacant Deeds Clerk position. She also put the notice of Vehicle Auction online.

- County Clerk Barbara Arseneau has completed all minutes for 2009 and 2010 up to this point, including those from September and October Commissioners Court Sessions, is nearly caught up with transcribing minutes backlogged from 2008, has assisted the H.R./Payroll Director with several personnel issues, has handled terminations and withdrawals from the Deferred Compensation Plan, has been assisting with drafting proposals for two sets of union negotiations, and is serving on both negotiating teams. She attended and assisted in recording and answering questions at the October 23, 2010 Budget Committee Meeting, and has been working with M. Wadsworth and B. Shorey on the Personnel Policy, with D. Berry and M. Wadsworth on the Technology Policy, and is also working with the attorney on health care reform updates to the health insurance plan. Second notices have been sent to the Towns for LD1 information in addition to responding to public requests for information and handling daily correspondence for the Commissioners.

MINUTES:

****A. Fowler moved, W. Shorey seconded to accept the minutes from the September 21, 2010, September 28, 2010, October 29, 2010, November 12, 2008 and November 25, 2008 Waldo County Commissioners Court Sessions. Unanimous.**

OLD BUSINESS:

Tabled Discussion: Corrections Request. The Commissioners wished to table any further discussion on this until the next regular Commissioners Court Session. No action will be taken yet. The Commissioners stated that the program needs to be drafted by the Technology Consultant and the Corrections people and instructed B. Arseneau to bring it up again during the next regular court session.

NEXT COURT SESSION:

The next Commissioners Court Session is a special court session scheduled for November 23, 2010.

****A. Fowler moved, W. Shorey seconded to adjourn the Court Session at 2:25 p.m. Unanimous.**

Respectfully submitted by Barbara L. Arseneau
Waldo County Clerk